

UNCLASSIFIED

Department of State

INCOMING
TELEGRAM

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ACTION ARA-00

11/16/84 6856

INFO OCT-00 COPY-01 ADS-00 INR-10 EUR-00 SS-00 CIAE-00
 DODE-00 H-01 10-15 NSC-01 NSCE-00 NSAE-00 SSO-00
 SY-06 HA-00 L-03 TRSE-00 PM-10 PA-01 OMB-01
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 SNP-01 PRS-01 SLPD-01 SPD-02 /867 W

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 FM AMEMBASSY BUENOS AIRES
 TO SECSTATE WASHDC IMMEDIATE 4244
 INFO AMEMBASSY ASUNCION
 AMEMBASSY BRASILIA
 AMEMBASSY LA PAZ
 AMEMBASSY LONDON
 AMEMBASSY MONTEVIDEO
 AMEMBASSY ROME
 AMEMBASSY SANTIAGO
 USMISSION USUN NEW YORK
 USCINCSO QUARRY HEIGHTS PN
 USCINCLANT NORFOLK VA
 USAFSSO HOWARD AFB PN//DOI-LAI//

BUENOS AIRES 09138

CINCSO FOR INTAFF

CINCLANT ALSO FOR POLAD

ROME ALSO FOR EMBASSY VATICAN

E.O. 12356: DECL: OADR
 TAGS: SHUM, PGOV, MARR, AR
 SUBJ: SUPREME COUNCIL OF THE ARMED FORCES RESIGNS

1. [REDACTED] - ENTIRE TEXT.)

2. SUMMARY: ALL ELEVEN MEMBERS OF THE SUPREME COUNCIL OF THE ARMED FORCES RESIGNED NOVEMBER 14. THE COUNCIL, RESPONSIBLE FOR INVESTIGATING SOME 700 CASES CHARGING HUMAN RIGHTS ABUSES DURING THE MILITARY REGIME, WILL CONTINUE ITS WORK UNTIL ITS RESIGNATIONS ARE ACCEPTED AND REPLACEMENTS NAMED. WHILE THE RESIGNATIONS DO NOT MEAN AN IMMEDIATE CRISIS FOR THE GOVERNMENT, THEY DO CONSTITUTE A SIGNIFICANT MILITARY CHALLENGE TO THE GOVERNMENT. THEY WILL ALSO FURTHER COMPLICATE ALFONSIN'S ALREADY FLAGGING STRATEGY FOR TRYING THOSE RESPONSIBLE FOR PAST HUMAN RIGHTS VIOLATIONS. FINALLY, THEY REFLECT A WIDER ARMED FORCES VIEW THAT THE MINISTRY OF DEFENSE IS NOT SUFFICIENTLY DEFENDING ITS ARMED FORCES FROM PUBLIC CRITICISM. END SUMMARY.

3. THE ELEVEN MEMBERS OF THE SUPREME COUNCIL OF THE ARMED FORCES, NINE OF WHOM ARE INVESTIGATING CASES CHARGING HUMAN RIGHTS ABUSES DURING THE MILITARY REGIME, RESIGNED NOVEMBER 14. WHILE THE ELEVEN RETIRED MILITARY OFFICIALS CITED "PERSONAL REASONS" FOR THEIR ACTION, THE COUNCIL WAS IN FACT RESPONDING TO MINISTER OF DEFENSE RAUL BORRAS' REFUSAL LAST WEEK TO DEFEND THE COUNCIL FROM AN ALLEGED CAMPAIGN TO DISCREDIT THE INSTITUTION. THE COUNCIL ITSELF PRECIPITATED THE SERIES OF EVENTS LEADING TO THE ACTION WITH AN OCTOBER 29 NOTE TO BORRAS DENOUNCING THE ALLEGED CAMPAIGN AND SEEKING A PUBLIC EXPRESSION OF SUPPORT FROM HIM. (THE COUNCIL RECEIVED HARSH CRITICISM FROM MANY INSIDE AND OUTSIDE GOVERNMENT WHEN IT ANNOUNCED IN SEPTEMBER THAT IT COULD NOT REACH A PROMPT VERDICT IN TRIALS OF THE THREE JUNTA MEMBERS, BUT FOUND NOTHING LEGALLY WRONG WITH THE ORDERS LAUNCHING THE WAR AGAINST SUBVERSION. SEE BUENOS AIRES 7733). THE COUNCIL DID

NOT HELP ITS CAUSE WITH BORRAS, A MINISTER WHO SHUNS HEADLINES AND SEEMS TO RESOLVE DIFFERENCES OUT OF THE PUBLIC EYE, WHEN IT RELEASED THE TEXT OF ITS NOTE TO THE PRESS.

4. BORRAS MET WITH COUNCIL MEMBERS NOVEMBER 9 AND TOLD THEM THAT DISSENT, CRITICISM AND FREEDOM OF THE PRESS WERE ALL FUNDAMENTAL TO DEMOCRACY. IF THEY CONSIDERED ATTACKS SLANDEROUS OR LIBELOUS, THEY, LIKE ANY OTHER CITIZEN, COULD BRING JUDICIAL ACTION. THE COUNCIL PONDERED THIS RESPONSE OVER THE WEEKEND. PRESS REPORTS EARLIER THIS WEEK ANNOUNCED THE RESIGNATIONS OF TWO MEMBERS BEFORE THE UNANIMOUS ACTION.

5. THE MINISTRY OF DEFENSE RESPONDED CALMLY TO THE RESIGNATIONS, SAYING THEY DO NOT CONSTITUTE A "MILITARY CRISIS." DEFENSE SECRETARY JAUNARENA ADDED THAT THE COUNCIL WILL CONTINUE ITS WORK UNTIL THE RESIGNATIONS ARE ACCEPTED AND REPLACEMENTS NAMED. HE NOTED THAT IT IS ALSO POSSIBLE THAT BORRAS WILL REFUSE TO ACCEPT THE RESIGNATIONS. ACCORDING TO ONE EMBASSY RETIRED MILITARY SOURCE, COUNCIL REGULATIONS REQUIRE THAT RESIGNATIONS NOT BECOME EFFECTIVE UNTIL CASES ALREADY UNDER CONSIDERATION ARE CONCLUDED. IF TRUE, THIS WOULD MEAN THE CURRENT COUNCIL MAY BE WORKING FOR SOME TIME, DEPENDING ON THE NUMBER OF CASES IT HAS ALREADY OPENED.

6. COMMENT: WHILE THE RESIGNATIONS ARE NOT AN IMMEDIATE THREAT TO THE ALFONSIN GOVERNMENT, THEY CONSTITUTE A SIGNIFICANT MILITARY CHALLENGE TO THE ALFONSIN ADMINISTRATION. IF POORLY HANDLED, GOVERNMENT RESPONSE TO THE RESIGNATIONS COULD CAUSE A SERIOUS AND LONG-LASTING DETERIORATION IN CIVILIAN-MILITARY RELATIONS. TO PREVENT THIS, BORRAS WILL NEED TO ASSURE THAT THE SUPREME COUNCIL IS STAFFED WITH OFFICIALS RESPECTED WITHIN THE FORCES, THAT THE COUNCIL MAINTAINS RESPONSIBILITY FOR JUDGING HUMAN RIGHTS VIOLATIONS ALLEGEDLY COMMITTED BY THE MILITARY, AND THAT THE COUNCIL'S WORK TRULY DOES CONTINUE UNTIL THE RESIGNATIONS BECOME EFFECTIVE.

7. BORRAS WILL REPORTEDLY CONSULT WITH ALFONSIN OVER THE WEEKEND ON NEXT STEPS. THE MINISTRY OF DEFENSE IS REPORTEDLY IN CONTACT WITH RETIRED OFFICERS WHO MIGHT BE NAMED TO SUCCEED THE RESIGNED COUNCIL MEMBERS, BUT MAY FIND OTHERS RELUCTANT TO TAKE ON THE COUNCIL'S THANKLESS TASKS. IF SO, THE MOD COULD ORDER ACTIVE MILITARY TO SERVE ON THE COUNCIL. SUCH A MOVE MIGHT BE COUNTER-PRODUCTIVE SINCE IT SEEMS LIKELY THAT AN ACTIVE DUTY OFFICER COUNCIL WOULD PROVE EVEN MORE RELUCTANT TO JUDGE ITS COLLEAGUES THAN WAS THE LAME DUCK COUNCIL. NOVEMBER 16 PRESS REPORTS SPECULATE THAT ONLY SOME RESIGNATIONS WILL BE ACCEPTED, WITH THE REST OF THE OFFICIALS CONTINUING TO SERVE THEIR SIX-YEAR TERM. TWO OTHER OPTIONS, BORRAS CAVING IN TO THE PRESSURE OF THE RESIGNATIONS BY GIVING THE COUNCIL THE PUBLIC SUPPORT HE REFUSED THEM LAST WEEK AND A DECISION TO MOVE ALL CASES TO CIVILIAN COURTS, APPEAR TO BE ONLY REMOTE POSSIBILITIES.

8. THE RESIGNATIONS WILL ALSO FURTHER COMPLICATE THE PRESIDENT'S STRATEGY FOR TRYING THOSE RESPONSIBLE FOR PAST HUMAN RIGHTS VIOLATIONS. THAT STRATEGY, DEVELOPED FROM THE BELIEF THAT THE MILITARY SHOULD JUDGE ITS OWN AND THAT--BY DEFINING LEVELS OF RESPONSIBILITY--THE ARMED FORCES AS AN INSTITUTION SHOULD BE PROTECTED FROM PROSECUTIONS REACHING DEEP INTO THE OFFICER RANKS, IS ALREADY SOMEWHAT TATTERED. TRIALS OF THE FIRST THREE JUNTAS PASSED INTO CIVILIAN COURTS WITHOUT ANY DECISION FROM THE SUPREME COUNCIL.

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

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Date Declassify on Reason

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PRESS LEAKS NAMING ALLEGED HUMAN RIGHTS VIOLATORS AND THE HUNDREDS OF CASES ALREADY CLOGGING THE COUNCIL'S AGENDA RAISE GREAT CONCERN AMONG MID- AND LOWER-RANKING OFFICERS THAT THEY WILL BE PUNISHED FOR CARRYING OUT ORDERS DURING THE WAR ON SUBVERSION.

9. FINALLY, THE SUPREME COUNCIL ACTION REFLECTS A WIDER ARMED FORCES VIEW THAT THE MOO IS NOT SUFFICIENTLY DEFENDING ITS ARMED FORCES FROM PUBLIC CRITICISM. IN AN APPARENT ATTEMPT TO COUNTER THIS MILITARY VIEW, PRESIDENT ALFONSIN REPORTEDLY TOLD A MILITARY DINNER EARLIER THIS WEEK HE SOUGHT TO MAKE IT POSSIBLE FOR "OFFICIALS TO WALK DOWN THE STREET ARM-IN-ARM WITH THEIR WIVES, WEARING THEIR UNIFORMS WITH PRIDE, AS IN THE PAST." END COMMENT. ORTIZ

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